

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

I just read in The New York Times that the Justice Department may decide that the Direct TV-Echostar merger may be in violation of anti-trust laws. I find this quite interesting on several points.

First, that rural areas may only have one choice. This is not the truth. Rural areas can subscribe to the merged DirecTV-Echostar service or to services delivered to large satellite dishes.

Secondly, the Echostar Service delivers a host of religious programming and carries the Angel One religious package for a total of 30 plus channels.

Thirdly, the campaign waged by News Corporation to prevent the merger. This is the most interesting of all. News Corporation owns the FOX Network, FOX News, FOX Movie Channel, FOX Sports Net, FOX Sports World and several newspapers and magazines in this country. News Corporation is owned by an off-shore interest, that is, it is an Australian owned company. To allow News Corporation to take over Direct TV would also be a violation of antitrust laws and not in the best interest of the citizens of the United States.

If the Direct TV-Echostar merger is not approved, then another entity, besides any existing media giant, including News Corporation, should not be allowed to purchase Direct TV either.

I am a subscriber to the Dish Network (Echostar) service. It is unfortunate that the DBS industry has consolidated to the point that it has. What is interesting is the FCC and Congress created the situation by allowing Direct TV to eliminate all the smaller DBS players leaving Direct TV and Echostar the final players on the field.

What is even more interesting is that the FCC and Congress require the uplink of every broadcast television outlet in the United States to satellite. A rather expensive and daunting task.

The most economic solution is to allow Direct TV and Echostar to merge operations. This will allow the technology to cover the federal mandate for all broadcast station uplinks. In addition, like what has been done for newspapers in many markets, including the Denver newspapers, let Direct TV and Echostar operate in a Joint Operating Agreement. This will allow the entities to pool their resources, eliminate duplication, but they will still be competitive entities.

Sincerely,

Nicholas J Metrowsky
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